REMARKS

In this Office Action, the Examiner noted that claims 1-20 are pending in the application and that claims 1-20 are rejected. All claims are unamended by this response.

In view of the following discussion, the Applicant submits that none of the claims now pending in the application are anticipated under the provisions of 35 U.S.C. §102 or obvious under the provisions of 35 U.S.C. §103. Thus, the Applicant believes that all of these claims are now in allowable form.

Rejections

A. 35 U.S.C. § 102

The Examiner rejected claims 1-9, 11-14 and 17-20 under 35 U.S.C. 102(b) as being anticipated by McGinn (US Patent No. 5,333,192). The rejection is respectfully traversed.

The Examiner alleges that regarding claims 1, 18 and 20, McGinn discloses a transmission line tap circuit and its methods comprising all of the aspects of the Applicant's invention. The Applicant respectfully disagrees.

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim" (Lindemann Maschinenfabrik GmbH v. American Hoist & Derrik Co., 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1983)) (emphasis added).

The Applicants respectfully submit that McGinn fails to teach, suggest or disclose each and every element of the Applicant's claimed invention, arranged as in the Applicant's claims. More specifically, the Applicant respectfully submits that McGinn fails to teach, disclose or suggest at least the Applicant's claim 1, which specifically recites:

> "A transmission line tap circuit, comprising:
> at least two input terminals configured for coupling to a transmission line;

circuitry configured to provide an impedance load to the transmission line for tapping the transmission line and receiving a transmission signal propagating there through;

circuitry configured to amplify the received transmission signal;

circuitry configured to provide an impedance match to an impedance load of at least one Line Interface Unit (LIU); and

at least two output terminals configured for coupling said transmission signal to the at least one LIU."

In support of the Applicant's invention with respect to at least claim 1, the Applicant, in the specification, specifically recites:

"The digital transmission line tap of the present invention utilizes a single stage balanced amplification circuit arrangement to provide a high impedance tap, terminate a transmission line with a proper impedance to prevent reflections of a received signal back into the transmission line, and amplify and wave shape the received signal, while maintaining the received signal in a balanced scheme for utilization by widely available Line Interface Unit (LIU) circuits, such as integrated and other electrical circuits." (See Specification, page 2, line 18 through page 3, line 3).

The Applicant in the specification further discloses:

"The tap circuit of the present invention utilizes two fundamental principles related to the transmission line itself and the characteristics of the LIU circuits available in order to achieve the reduction in complexity and associated component count. First, the circuit design is based on the principle that the transmission line to be tapped will utilize a complete loop form one piece of transmission equipment to another. Due to this characteristic, the transmission line will be properly balanced and terminated between the equipment, thus providing a proper transmission path that results in the signal wave shape being correct at any given point on the line where the tap circuit may be employed." (See Specification, page 3, lines 7-14).

and

"Resistors R1, R2 connected to Input terminals IT1, IT2 provide the high impedance load needed to tap the digital transmission line." (See Specification, page 6, lines 5-6).

It is clear from at least the portion of the Applicant's Specification depicted above that the invention of the Applicant is directed, at least in part, to a

transmission line tap having at least two input terminals for coupling to a transmission line, circuitry configured to provide an impedance load to the transmission line for tapping the transmission line and receiving a transmission signal propagating there through, circuitry configured to provide an impedance match to an impedance load of at least one Line Interface Unit, and at least two output terminals for coupling the transmission signal to the at least one LIU. The tap circuit of the Applicant's invention is to be implemented on balanced transmission lines using a single stage balanced amplification circuit having at least two output terminals configured for coupling the tapped transmission signal to the LIU.

The Applicant respectfully submits that, in contrast to the Applicant's invention, there is absolutely no teaching, suggestion or disclosure in McGinn for at least a transmission line tap comprising at least two input terminals. McGinn teaches and claims a line interface circuit for coupling signals between a telephone line and a hybrid circuit, which includes a loop driver circuit for supplying energizing current to the telephone line and for driving the telephone line with alternating current signals. In McGinn, a loop current detector connected in series between the telephone line and the loop driver circuit generates a voltage signal in response to current flow in the telephone line. Amplifier circuits are arranged to be responsive to differential signals on the telephone line, and to signals from the hybrid circuit, for generating a composite signal. The composite signal and the voltage signal are combined in a network having an output connected to control the operation of the loop driver circuit so that the telephone line is terminated with a preferred impedance. (See McGinn, Abstract).

The Examiner in the Office Action equated tip and ring taps of McGinn to the at least two input terminals of the Applicant's claimed invention. The Applicant respectfully disagrees. More specifically, McGinn specifically teaches:

> "For example, in the U.S. Pat. No. 4,103,112 issued on Jul. 25, 1978 to V. V. Korsky, and titled "Telephone Line Circuit With Differential Loop

> Current Sensing And Compensation", a telephone line is terminated at tip and ring terminals connected to tip and ring windings of a transformer. Energizing direct current is conducted by 200 ohm tip and ring feed resistors connected in series between the battery supply and the tip and ring windings." (See McGinn, Background).

McGinn further recites:

> "The line interface circuit illustrated in FIG. 1 includes tip and ring terminals 2 and 3 for connection to the tip and ring leads of a telephone line (not shown), power -V and ground GRD terminals for connection to a battery supply (not shown) and transmit and receive leads Tx and Rx for connection to an electronic hybrid circuit (not shown)." (See McGinn, col. 4, lines 4-10).

As clearly evident from at least the portions of the disclosure of McGinn presented above and as is know in the art, a tip terminal and a ring terminal of a telephone system make-up a complete circuit (i.e., a tip terminal comprising a positive (+) side of a circuit and a ring terminal comprising a negative (-) side of the circuit. As such, the tip and ring terminals of McGinn may not both be input terminals to the line interface circuit taught and claimed in McGinn and as such do not comprise at least two input terminals as taught by the Applicant's Specification and claimed by at least the Applicant's claim 1.

Even further, the Applicant respectfully submits that there is absolutely no teaching, suggestion or disclosure in McGinn for "circuitry configured to provide an impedance match to an impedance load of at least one Line Interface Unit (LIU)" as taught in the Applicant's Specification and claimed by at least the Applicant's claim 1. More specifically, the Applicant in the Specification recites:

> "The tap circuit of the present invention addresses this problem in a unique manner. The circuitry must also cut down the incoming signal to prevent loading the transmission line, and must also provide amplification of that signal for use by the LIU. The tap circuit of the present invention takes advantage of the fact that the typical input circuitry on the LIU chip is essentially an arrangement of operational amplifier circuits that converts the incoming balance line signal into an unbalanced signal. The tap circuit of

the present invention, therefore, recognizes that the operational amplifiers in the first stage of the LIU presents a very high impedance load, and thus, the tap circuit is designed to optimize the matching to that first stage. This is counter to prior art tap circuit designs that simply placed amplifiers in line with the existing components utilized for a full transmission line termination.

The tap circuit of the present invention, therefore, has been optimized to provide a high impedance load to the transmission line while providing an amplified output that directly interfaces with the LIU input circuitry itself. Thus, in a single stage design, the tap circuit eliminates many of the components used in prior art tap circuit designs while providing all of the functions required to properly tap the line and to present a viable signal to the LIU." (See Specification, page 5, line 7 through page 6, line 1).

And

"Since the output signal from the tap circuit 100 is fed into a high impedance input of an associated LIU, resistors R8, R9 provide a dissipation load to the output stage of operational amplifiers U1, U2 in order impress the signal into the LIU input stage and to prevent signal reflection." (See Specification, page 6, line 18 through page 7, line 1).

As evident from at least the portions of the Applicant's disclosure presented above, and at least the Applicant's claim 1, the Applicant's invention is directed, at least in part, to a transmission line tap having circuitry configured to provide an impedance match to an impedance load of at least one associated LIU.

In the Office Action, the Examiner alleges that the circuitry configured to provide an impedance match to an impedance load of at least one associated LIU of the Applicant's invention is anticipated by FIG. 2 of McGinn. The Examiner specifically alleges that Fig.1/Fig. 2 51-64 is the LIU and that Fig. 2 is the circuitry configured to provide an impedance match to an impedance load of at least one LIU via at least two output means 64 and SUPERVISION. The Applicant respectfully disagrees.

In contrast to the invention of the Applicant, McGinn specifically recites:

"The composite signal and the voltage signal are combined in a network having an output connected to control the operation of the loop driver circuit so that the telephone line is terminated with a preferred impedance." (See McGinn, Abstract).

And

> "A network includes first and second ports, and a third port for providing a control signal. A second amplifier includes an output connected to the first port of the network, and an input being resistively coupled to the output of the first amplifier and resistively coupled to the hybrid receive terminal. A loop driver circuit is connected in series between the power terminals for supplying the energizing current, and the loop driver circuit is also responsive to the control signal for driving alternating current signals via the tip and ring terminals. A loop current detector is connected in series between the tip and ring terminals and the loop driver circuit, and includes an output connected to the second port of the network. In operation, the loop current detector generates a supervision signal for use by the network along with signals from the second amplifier to provide the control signal." (See McGinn, Summary).

And

> "The loop driver circuit 50 also drives alternating current signals via the tip and ring terminals, such that the line interface circuit terminates the telephone line with a characteristic impedance which substantially corresponds to a predetermined preferred impedance. For example throughout North America, most operating telephone companies require a terminating impedance which is equivalent to 900 ohms in series with 2.16 microfarads." (See McGinn, col. 4, lines 43-51).

As evident from at least the portions of McGinn presented above, there is absolutely no teaching, suggestion or disclosure in McGinn for "circuitry configured to provide an impedance match to an impedance load of at least one Line Interface Unit" as taught in the Applicant's Specification and claimed by at least the Applicant's claim 1. That is, McGinn specifically teaches at least a loop driver circuit that drives alternating current signals via the tip and ring terminals, such that the line interface circuit **terminates a telephone line with a predetermined, preferred impedance**. However, as previously submitted, there is absolutely no teaching, suggestion or disclosure in McGinn for a transmission line tap circuit having "circuitry configured to provide an impedance match to an impedance load of at least one Line Interface Unit" as taught in the Applicant's Specification and claimed by at least the Applicant's claim 1.

In even further contrast to the Applicant's invention, the Applicant respectfully submits that there is absolutely no teaching, suggestion or disclosure in McGinn for "at least two output terminals configured for coupling said transmission signal to the at least one LIU" as taught in the Applicant's Specification and claimed by at least the Applicant's claim 1. More specifically, in support of at least the Applicant's claim 1, the Applicant specifically recites:

> "Finally, capacitors C7, C8 connected to output terminals OT1, OT2 provide blocking of any direct currents from the amplification circuit that could disrupt the operation of the LIU input circuitry." (See Specification, page 7, line 1-3).

As evident from at least the portion of the Applicant's Specification presented above, the Applicant's invention includes "at least two output terminals configured for coupling said transmission signal to the at least one LIU" as claimed by at least the Applicant's claim 1.

In contrast, there is absolutely no teaching, suggestion or disclosure in McGinn for "at least two output terminals configured for coupling said transmission signal to the at least one LIU" as taught in the Applicant's Specification and claimed by at least the Applicant's claim 1. In the Office Action the Examiner cites the SUPERVISION signal and element 64 of FIG. 2 to anticipate the at least two output terminals of the Applicant's invention. The Applicant respectfully disagrees.

With reference to element 64 and the SUPERVISION signal of FIG. 2, McGinn specifically recites:

> "The line interface circuit illustrated in FIG. 1 includes tip and ring terminals 2 and 3 for connection to the tip and ring leads of a telephone line (not shown), power -V and ground GRD terminals for connection to a battery supply (not shown) and transmit and receive leads Tx and Rx for connection to an electronic hybrid circuit (not shown). Some of the signals appearing at the transmit lead Tx are destined for an associated telephone facility (not shown), and are selected by the electronic hybrid circuit for transmission into the telephone facility." (See McGinn, col. 4, lines 4-14).

And

> "In the line interface circuit, a tip and ring signal voltage detector 20 is responsive to differential signals appearing across the tip and ring terminals 2 and 3 for generating a corresponding single ended signal. The single ended signal and the receive signal are used to provide a composite signal which is fed to a first port of a network 40, and which is supplied to the electronic hybrid circuit via the transmit lead Tx." (See McGinn, col. 4, lines 18-25).

And

> "In operation, the loop current detector generates a supervision signal for use by the network along with signals from the second amplifier to provide the control signal." (See McGinn, Summary).

As evident from at least the portions of the disclosure of McGinn presented above, McGinn teaches a transmit lead, Tx (64), which transmits a composite signal to an electronic hybrid circuit. The supervision signal however, is generated by the loop detector and communicated to the network to provide a control signal. These teachings of McGinn are in direct contrast to the invention of the Applicant which specifically teaches and claims "at least two output terminals configured for coupling said transmission signal to the at least one LIU" as taught in the Applicant's Specification and claimed by at least the Applicant's claim 1. In the claimed invention of the Applicant, two output terminals are configured for coupling a tapped transmission signal to an associated LIU. There is absolutely no teaching, suggestion or disclosure in McGinn for such at least two output terminals.

For at least the reasons presented above, it is clear that McGinn fails to teach, suggest or disclose each and every element of the Applicant's claimed invention, at least with respect to claim 1, arranged as in the Applicant's claims as required for anticipation under 35 U.S.C. §102.

Therefore, the Applicant respectfully submits that independent claim 1, as it now stands, is not anticipated by McGinn and fully satisfies the requirements of 35 U.S.C. §102 and is patentable thereunder.

Likewise, independent claims 18 and 20 recite similar relevant features as recited in independent claim 1. As such, and for at least the reasons stated herein,

the Applicant respectfully submits that independent claims 18 and 20, as they now stand, are not anticipated by McGinn and also fully satisfy the requirements of 35 U.S.C. § 102 and are patentable thereunder.

Furthermore, dependent claims 2-17 and 19 depend, either directly or indirectly, from independent claims 1 and 18, respectively, and recite additional features therefor. As such, and for at least the reasons set forth herein, the Applicant submits that none of these claims are anticipated by the teachings of McGinn. Therefore the Applicant submits that all of these dependent claims also fully satisfy the requirements of 35 U.S.C. § 102 and are patentable thereunder.

The Applicant reserves the right to establish the patentability of each of the claims individually in subsequent prosecution.

B. 35 U.S.C. § 103

The Examiner has rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over McGinn in view of Henderson et al., (United States Patent 4,868,516, hereinafter "Henderson"). The rejection is respectfully traversed.

The Applicant's claim 10 depends directly from independent claim 1 and recites further limitations therefor. The Examiner applied McGinn to claim 10 as applied above in his rejection of claim 1. However, for at least the reasons presented above and as discussed above, the Applicant submits that McGinn fails to teach, suggest or disclose each and every element of the Applicant's claimed invention, at least with respect to claim 1, arranged as in the Applicant's claims. As such, and at least because the Applicant's claim 1 is not anticipated or made obvious by McGinn, the Applicant further submits that claim 10, which depends directly from independent claim 1 and recites further limitations therefor, is also not anticipated or made obvious by McGinn.

Furthermore, the Applicant submits that Henderson, alone, also fails to teach, suggest or disclose each and every element of the Applicant's claimed invention, at least with respect to claim 1, arranged as in the Applicant's claims. More specifically, Henderson teaches an improved alternating current amplifier

which employs capacitive feedback to balance the intrinsic input capacitance, and a multiplier circuit responsive to a digital control signal coupled in the feedback path to vary the effective capacitance of the capacitive feedback. In Henderson, the frequency response of the amplifier may be adjusted and set digitally, such as under computer control, obviating the need to make manual adjustments to improve amplifier performance. (See Henderson, Abstract).

However, there is absolutely no teaching, suggestion or disclosure in Henderson for a transmission line tap circuit comprising each and every element of at least the Applicant's claim 1, which specifically recites:

> "A transmission line tap circuit, comprising:
> at least two input terminals configured for coupling to a transmission line;
> circuitry configured to provide an impedance load to the transmission line for tapping the transmission line and receiving a transmission signal propagating there through;
> circuitry configured to amplify the received transmission signal;
> circuitry configured to provide an impedance match to an impedance load of at least one Line Interface Unit (LIU); and
> at least two output terminals configured for coupling said transmission signal to the at least one LIU."

More specifically, there is absolutely no teaching, suggestion or disclosure in Henderson for a transmission line tap circuit comprising at least two input terminals configured for coupling to a transmission line, circuitry configured to provide an impedance load to the transmission line for tapping the transmission line and receiving a transmission signal propagating there through, circuitry configured to provide an impedance match to an impedance load of at least one Line Interface Unit, and at least two output terminals configured for coupling said transmission signal to the at least one LIU at taught in the Applicant's Specification and claimed by at least the Applicant's claim 1. As such, and for at least the reasons stated above, the Applicant submits that Henderson, alone, also fails to teach, suggest or disclose each and every element of the Applicant's claimed invention, at least with

respect to claim 1, arranged as in the Applicant's claims. As such, and at least because the Applicant's claim 1 is not anticipated or made obvious by Henderson, the Applicant further submits that claim 10, which depends directly from independent claim 1 and recites further limitations therefor, is also not anticipated or made obvious by the teachings of Henderson.

Furthermore, the Applicant submits that there is absolutely no suggestion or motivation to combine the references of McGinn and Henderson as suggested by the Examiner. There is no suggestion in Henderson for modifying the line interface circuit of McGinn in an attempt to teach the invention of the Applicant, at least with respect to independent claim 1.

For prior art references to be combined to render obvious a subsequent invention under 35 U.S.C. § 103, there must be something in the prior art as a whole which suggests the desirability, and thus the obviousness, of making the combination. The teachings of the references can be combined only if there is some suggestion or incentive in the prior art to do so. Moreover, the mere fact that a prior art structure could be modified to produce the claimed invention would not have made the modification obvious unless the prior art suggested the desirability of the modification.

The Applicant submits that no such motivation exists. However, the Applicant further submits that even if a suggestion to combine the references cited by the Examiner did exist (which the Applicant submits that no such suggestion exists), the Examiner's attention is directed to the fact that the alleged references, either singly or in any permissible combination, do not teach, suggest, or otherwise render obvious the Applicant's invention, at least with regard to the Applicant's independent claim 1. Specifically, the references cited by the Examiner, alone or in any allowable combination, fail to teach, suggest or disclose a transmission line tap comprising a single stage balanced amplification circuit including at least "two input terminals configured for coupling to a transmission line", "circuitry configured to provide an impedance load to the transmission line for tapping the transmission line and receiving a transmission signal propagating there through" and "at least

two output terminals configured for coupling said transmission signal to the at least one LIU" as taught by the Applicant's specification and claimed in at least the Applicant's claim 1. As such and at least because McGinn and Henderson, alone or in any allowable combination, fail to teach, suggest or disclose each and every aspect of the Applicant's claim 1, the Applicant further submits that claim 10, which depends directly from independent claim 1 and recites further limitations therefor, is also not anticipated or made obvolus by McGinn and Henderson, alone or in any allowable combination.

Therefore, the Applicant submits that claim 10, as it now stands, fully satisfies the requirements of 35 U.S.C. § 103 and is patentable thereunder.

The Applicant reserves the right to establish the patentability of each of the claims individually in subsequent prosecution.

C. 35 U.S.C. § 103

The Examiner has rejected claims 15 and 16 under 35 U.S.C. § 103(a) as being unpatentable over McGinn in view of Koenig et al., (United States Patent 5,881,148, hereinafter "Koenig"). The rejection is respectfully traversed.

The Applicant's claims 15 and 16 depend directly from independent claim 1 and recite further limitations therefor. The Examiner applied McGinn to claims 15 and 16 as applied above in his rejection of claim 1. However, as discussed above, the Applicant submits that McGinn fails to teach, suggest or disclose each and every element of the Applicant's claimed invention, at least with respect to claim 1, arranged as in the Applicant's claims. As such, and at least because the Applicant's claim 1 is not anticipated or made obvious by McGinn, the Applicant further submits that claims 15 and 16, which depend directly from independent claim 1 and recite further limitations therefor, are also not anticipated or made obvious by McGinn.

Furthermore, the Applicant submits that Koenig, alone, fails to teach, suggest or disclose each and every element of the Applicant's claimed invention, at least with respect to claim 1, arranged as in the Applicant's claims. More

specifically, Koenig teaches "technique for powering telephone lines using an unbalanced current source and current sink; and a technique for improving attenuation/frequency distribution and return loss (impedance matching) of transformer-coupled wire-line communications circuits by using secondary series capacitance and an AC current pump signal source; and a generation of ringing voltage as positive voltage pulses with respect to a negative power supply voltage; and a technique for removal of AC power ripple by using an active linear floating filter for the purpose of powering telephone line circuits, and a technique for injection of real time tone samples into T1 transmissions circuits by use of a T1 framer idle code register." (See Koenig, Abstract). There is absolutely no teaching, suggestion or disclosure in Koenig for a single stage balanced amplification circuit and in particular, for a transmission line tap comprising a single stage balanced amplification circuit including at least "two input terminals configured for coupling to a transmission line", "circuitry configured to provide an impedance load to the transmission line for tapping the transmission line and receiving a transmission signal propagating there through" and "at least two output terminals configured for coupling said transmission signal to the at least one LIU" as taught by the Applicant's specification and claimed in at least the Applicant's claim 1. As such, and for at least the reasons stated above, the Applicant submits that Koenig, alone, also fails to teach, suggest or disclose each and every element of the Applicant's claimed invention, at least with respect to claim 1, arranged as in the Applicant's claims. As such, and at least because the Applicant's claim 1 is not anticipated or made obvious by Koenig, the Applicant further submits that claims 15 and 16, which depend directly from independent claim 1 and recite further limitations therefor, are also not anticipated or made obvious by Koenig.

Furthermore, the Applicant submits that there is absolutely no suggestion or motivation to combine the references of McGinn and Koenig as cited by the Examiner. There is no suggestion in Koenig for modifying the line interface circuit of McGinn in an attempt to develop the invention of the Applicant, at least with respect to independent claim 1.

For prior art references to be combined to render obvious a subsequent invention under 35 U.S.C. § 103, there must be something in the prior art as a whole which suggests the desirability, and thus the obviousness, of making the combination. The teachings of the references can be combined only if there is some suggestion or incentive in the prior art to do so. Moreover, the mere fact that a prior art structure could be modified to produce the claimed invention would not have made the modification obvious unless the prior art suggested the desirability of the modification.

The Applicant submits that no such motivation exists. However, the Applicant further submits that even if a suggestion to combine the references cited by the Examiner did exist (which the Applicant submits that no such suggestion exists), the Examiner's attention is directed to the fact that the alleged references, either singly or in any permissible combination, do not teach, suggest, or otherwise render obvious the Applicant's invention, at least with regard to the Applicant's independent claim 1. Specifically, the references cited by the Examiner, alone or in any allowable combination, fail to teach, suggest or disclose a single stage balanced amplification circuit and in particular, a transmission line tap comprising a single stage balanced amplification circuit including at least "two input terminals configured for coupling to a transmission line", "circuitry configured to provide an impedance load to the transmission line for tapping the transmission line and receiving a transmission signal propagating there through" and "at least two output terminals configured for coupling said transmission signal to the at least one LIU" as taught by the Applicant's specification and claimed in at least the Applicant's claim 1. As such and at least because McGinn and Koenig, alone or in any allowable combination, fail to teach, suggest or disclose each and every aspect of the Applicant's claim 1, the Applicant further submits that claims 15 and 16, which depend directly from independent claim 1 and recite further limitations therefor, are also not anticipated or made obvoius by McGinn and Koenig, alone or in any allowable combination.

Therefore, the Applicant submits that claims 15 and 16, as they now stand, fully satisfy the requirements of 35 U.S.C. § 103 and are patentable thereunder.

Conclusion

Thus the Applicant submits that none of the claims, presently in the application, are anticipated under the provisions of 35 U.S.C. § 102 or obvious under the provision of 35 U.S.C. § 103. Consequently, the Applicant believes that all of these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending n the application, it is requested that the Examiner telephone Jorge Tony Villabon, Esq. at (732) 530-9404 x1131 or Eamon J. Wall, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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